

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----X
T.H., by his parent and natural guardian
TIESHA SHEPHERD,

Plaintiff,

v.

CITY OF SYRACUSE; SERGEANT DENNIS
REGIN, in his individual and official capacities;
and OFFICER ANTHONY FIORINI, in his
individual and official capacities,

Defendants.
-----X

DECLARATION

No. 5:17-cv-1081 (GTS/DEP)

Tiesha Shepherd, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

1. I, Tiesha Shepherd, am the mother of the infant plaintiff, T. [REDACTED] H. [REDACTED], referred to as T.H. in this matter, and his brother, [REDACTED] referred to as T.M.H. in this matter.
2. I am a resident of Syracuse, and I reside together with my infant sons, T.H. and T.M.H., at [REDACTED], Syracuse, NY.
3. T.H. is 16 years old, having been born on [REDACTED] 2002.
4. On September 26, 2017, my son, T.H., and I initiated a lawsuit alleging that two Syracuse Police officers subjected my son, infant plaintiff T.H., to excessive force on September 27, 2016.
5. Because of this incident, I have sought recovery in this lawsuit for physically scarring and emotional distress.

6. T.H. was treated by staff at Upstate University Hospital on September 27, 2016 and by his pediatrician, Dr. Mary Jo Dunbar, on September 28, 2016 for physical injuries sustained because of the officers' use of force.

7. Insurance covered all medical expenses.

8. Both T.H. and I have reviewed the terms of settlement, which include that T.H. will receive five-thousand dollars exactly (\$5,000).

9. Both T.H. and I approve of this settlement.

10. On December 20, 2016, my son T.H. and I retained the New York Civil Liberties Union by written retainer for services including the representation of T.H. in filing a notice of claim pursuant to the New York General Municipal Law § 50-e for the incident that occurred on September 27, 2016. On September 27, 2017, T.H. and I retained the New York Civil Liberties Union by written retainer to represent T.H. in the matter of *T.H. v. City of Syracuse, et al.*

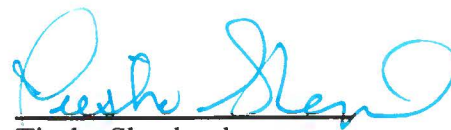
11. In accordance with the terms of the retainer, the New York Civil Liberties Union will not be collecting any fees or costs for the legal services rendered in this matter. The five thousand dollars (\$5,000) of settlement funds will be deposited in an interest bearing account within thirty (30) days of the complete execution of the agreement and delivery of a copy of a General Release.

12. Both T.H. and I have reviewed this proposed distribution of settlement, and approve of it.

13. **WHEREFORE**, I respectfully request that the aforementioned proposals of settlement be approved, and that this Court grant an Order authorizing me as parent and natural guardian of the infant plaintiff, T.H., to settle and compromise the claims of said infant plaintiff in this matter.

Dated: Syracuse, New York

2-25, 2019


Tiesha Shepherd